

AFFIDAVIT OF SERVICE

Case 1:08-cv-04974-RWS Document 3 Filed 07/09/2008 Page 1 of 1

0468

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

OMAR MARTINEZ,

INDEX #:
08 CV 4974
DATE FILED:
05/29/2008

- against -

SPOTO'S RESTAURANT, INC. AND PETER SPOTO

Plaintiff(s)
Petitioner(s)

JUDGE:
SWEET

Defendant(s)
Respondent(s)

STATE OF NEW YORK: COUNTY OF NASSAU: ss:

ELLIOTT STERNBERG, BEING DULY SWORN DEPOSES AND SAYS DEPONENT IS NOT A PARTY TO THIS ACTION AND IS OVER THE AGE OF EIGHTEEN YEARS AND RESIDES IN THE STATE OF NEW YORK

That on 06/05/2008, 11:00PM at 4005 EAST TREMONT AVENUE, BRONX NY 10465, deponent served the within SUMMONS IN A CIVIL ACTION & COMPLAINT AND JURY DEMAND on SPOTO'S RESTAURANT, INC., a defendant in the above action.

By delivering to and leaving with GRACE SPOTO at the above address and that he knew the person so served to be the managing agent of the corporation.

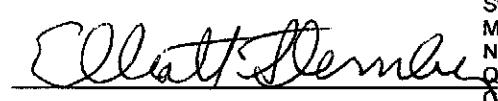
DEPONENT DESCRIBES THE INDIVIDUAL SERVED AS FOLLOWS:

Sex F Approximate age 80 Approximate height 5'03" Approximate weight 125 Color of skin BROWN Color of hair GRAY

THE LAW OFFICE OF
JUSTIN A. ZELLER

251 WEST 14TH STREET
5TH FLOOR
NEW YORK, NY 10011
(212)229-2249

Sworn to before me on 06/06/2008
MAUREEN MCCAFFREY NO.01MC5018583
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN SUFFOLK COUNTY
COMMISSION EXPIRES OCTOBER 4, 2009


ELLIOTT STERNBERG License # 1184595

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